IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1235 OF 2006
IN
CRIMINAL APPEAL NO.1156 OF 2006

Santosh Dadu Sapkale ..Applicant

Versus

The State of Maharashtra ..Respondent

Mr.D.G.Khamkar for the applicant.

Mr.A.S.Gadkari APP for the State.

Coram : B.H.Marlapalle &
R.S.Mohite,JJ

Date : 7th February,2007

PC

1. Heard Mr.Khamkar the learned Counsel for the applicant/accused who has filed Criminal Appeal No.1156/2006 against the order of conviction and sentence passed under Section 302 of IPC on 4.12.2003. The appeal filed is beyond time. Therefore, this application for condonation of delay.

2. As per the office note, the appeal is beyond time by 2 years and 266 days. The learned Counsel for the applicant states that the applicant is under-going sentence and he did not have any family members to take timely steps to challenge the order of conviction and sentence in an appeal. We are

satisfied that the delay deserves to be condoned. Hence the application is allowed.

3. Delay condoned.

(R.S.Mohite,J) **(B.H.Marlapalle,J)**